HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.18155 of 2007

Between:

Panuganti Vijay Kumar

... Petitioner

AND

The Government of Andhra Pradesh
and others.

... Respondents

; ORDER :

Counsel for the Petitioner: Sri K.Ramesh Babu

Dated: 30th August, 2007

Per C.V.NAGARJUNA REDDY, J.

The petitioner, who is a native of Kothakota, Mahboobnagar District and is studying in final year of L.L.B., has filed this writ petition in the name of public interest litigation for quashing the permission granted by respondents 1 and 2 to respondent No.5 to establish and run an Industrial Training Centre (ITC) at Wanaparthy in the name of respondent No.4.

A perusal of the record shows that the Government of Andhra Pradesh issued G.O.Ms.No.243, Education (Emp.A-2) Department, Dated 19.9.1990 whereunder it permitted establishment of one Industrial Training Institute (ITI)/Industrial Training Centre (ITC) in each of the Assembly Constituencies with preference to be given for establishment of new ITIs, where there is not even one ITI in an Assembly Constituency. After about nine months, the State Government issued Memo No.381/Emp-A2/2001, dated 18.8.2001 and laid down that if any trust/society establishes an ITC in a constituency where there is no ITC, the said trust or society shall be given option to start another ITC at any place of their choice with the latest courses/trades as recommended by the Director of Employment and Training. In pursuance of that memo, the State Government granted permission to respondent No.5 to establish ITCs at Ibrahimpatnam, Ranga Reddy District, Yadagirigutta, Nalgonda District and Gorrekunta of Warangal District by G.O.Ms.No.7 LE & T Department dated 7.2.2005. Subsequently, vide G.O.Ms.No.28

dated 16.4.2005, the 5th respondent was permitted to amend the name of the ITC as Siddartha Sanitary Inspector Training College in all the said three places.

In the affidavit filed by him, the petitioner has averred that using the word 'college' is contrary to the training manual. It is further averred that respondent No.5, who was permitted to set up bonus ITCs at three places including at Shadnagar, Mahboobnagar District, has been permitted by the State Government vide G.O.Ms.No.29 dated 15.4.2006 to shift the proposed ITC from Shadnagar to Wanaparthy to be established in the name of Pragathi ITC despite the fact that infrastructure such as proper buildings, technical staff, equipment etc. are not available. According to the petitioner, respondent No.6 ITC has purchased Pragathi ITC, Wanaparthy and Priyadarshini ITC, Nandimarla, Atmakur from Sidhartha Educational Society without proper facilities. He has, therefore, prayed for issue of a direction to respondents 1 to 3 to appoint an independent standing committee to inspect respondent No.4 institute and verify accommodation, tools, equipments, staff, electricity supply, land and building, documents relating to land and building etc. and submit a report to this Court. He has further prayed for issue of a writ of mandamus to declare the action of respondents 1 and 2 in granting permission to establish Pragati ITC at Wanaparthy as a bonus ITC as illegal and arbitrary and for a consequential direction to respondents 4 to 6 to introduce latest courses/trades at Wanaparthy, which are not available, by providing suitable building infrastructure etc.

We have heard Sri K.Ramesh Babu, learned counsel for the

petitioner and carefully perused the record. In our opinion, the writ petition is liable to be dismissed because the petitioner has failed to establish his locus to file this petition as probono publico. On the petitioner's own showing he is a law student and not an educationist concerning technical education. He has not placed any material to show his interest in upholding the standards of technical education. From the tenor of the averments contained in his affidavit and in particular his anxiety to prevent a new ITC from coming up in Wanaparthy and the alternative prayer sought for by him in the writ petition to direct the new ITC to introduce the latest trades/courses which are not available in the existing institutions at Wanaparthy, we have absolutely no doubt in our mind that the petitioner has been set up by an existing ITI/ITC in Wanaparthy area with a view to prevent a competitor from coming into existence. Therefore, it must be held that the petitioner is merely a busy body or meddlesome interloper setup by the interested persons to thwart the efforts of respondents 5 and 6 to establish ITCs in Wanaparthy area.

For the reasons stated above, the writ petition is dismissed. Ordinarily, we would have imposed heavy costs on the petitioner, but refrain from doing so in view of the fact that the petitioner is still a student.

As a sequel to dismissal of the writ petition, W.P.M.P.No.23306 of 2007 filed seeking interim direction is also dismissed.

C.V. NAGARJUNA REDDY, J

G.S. SINGHVI, CJ

Date: 30.08.2007
MDAA